

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

*In re BAYCOL PRODUCTS LITIGATION*

MDL NO. 1431  
(MJD/SRN)

This Document Relates to:

**ORDER**

*Elaine Demery, et al., v. Bayer Corp., et al.*  
*(Plaintiff Carl Titus only)*

Case No. 05-2577

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated June 1, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Carl Titus [Doc. No. 11] is GRANTED;
2. Plaintiff Carl Titus' action is DISMISSED WITH PREJUDICE; and
3. Plaintiff's counsel is required to pay the sum of \$90.00 to Bayer Corporation within 10 days of the District Court's Order should the District Court adopt this Report and Recommendation.

DATED: JUL 13 2007, 2007.

  
Judge Michael J. Davis  
United States District Court Judge

**SCANNED**

JUL 13 2007

U.S. DISTRICT COURT MPLS